

### III. REMARKS

Claims 1-5, 7-10, 12-20, 22 and 23 are pending in this application. By this amendment, claims 1, 9 and 16 have been amended. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Office. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claim 16, 17-20 and 22-23 are rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter.

In the Office Action, claims 1-5, 7-10, 12-20 and 22-23 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Burton (U.S. Patent Pub. No. 2002/0055878), hereafter “Burton,” in view of Klatt (U.S. Patent No. 6,415,277), hereafter “Klatt.”

With regard to the 35 USC 101 rejection of claim 16, Applicants have herein amended claim 16 to include a computer readable storage medium in order to fulfill the Office’s interpretation of allowable subject matter. Applicants believe that this amendment overcomes the rejection of claim 16, as well as 17-20 and 22-23, which depend therefrom.

With regard to the 35 USC 103(a) rejection, Applicants assert that the cited combination fails to teach or suggest each and every feature of the claimed invention. For example, with respect to independent claim 1, and similarly 9 and 16, Applicants submit that the cited

references fail to teach or suggest the feature of “wherein the view of the failed request queue and the data are presented to the administrator in separate viewing panels within a single browser window without opening multiple browser windows.” In contrast, what Burton discloses is a list of orders as shown in Burton’s Figure 81 and paragraph 4056, Lines 1-5 and 9-15, as quoted by Examiner on Page 11 of the Office Action in the Examiner’s Response to Arguments. Although the list of Burton can be searched and sorted, and shows problematic orders as well as non-problematic orders on separate rows of a list, Applicants assert that this is not the same as separate viewing panels within a single browser window. Burton classifies problematic orders with an attention item which shows whether an item needs attention. However, Burton does not actually teach that these ‘problematic orders’ are put into a specific queue, and a searchable list is not the same as separate views of a queue and information regarding system-initiated and user-initiated requests.

In contrast, the current invention contains a specific queue for failed system-initiated requests, which are displayed to an administrator in a separate viewing panel within a single browser window, which can also display information related to system-initiated requests as well as user-initiated requests. Further, as claimed in independent claims 9 and 16, regarding the system and program product, different systems are actually processing the different types of requests, which makes it possible to display them in separate viewing panels. However, Burton is silent as to this feature, and only shows a list which a user can search and sort. Klatt fails to overcome this deficiency as well. As such, Applicants respectfully request withdrawal of this rejection.

With further respect to independent claim 9 and dependent claims 5 and 20, Applicants continue to respectfully submit that the cited references also fail to teach or suggest wherein the system-initiated item requests are processed differently from user-initiated item requests, and processed in batches with other system-initiated item requests. The Office states that batch processing is old and well known in the art. Applicants continue to respectfully object to the Office's use of what amounts to Official Notice by stating that such use of batch processing is obvious to one skilled in the art as asserted by the Office. Rather, especially in this context, batch processing of the system-initiated item requests is not obvious. This batch processing is a specific advantage of the current invention and is not so much as vaguely referenced in either of the references cited. Furthermore, neither of the references cited by the Office discloses processing user initiated item requests differently from system initiated requests, which are processed in batch. Instead, the Office states that since the orders of Burton and Klatt are different, they are processed differently. As stated on Page 14 of the current Office Action, an order for pizza and an order for a flyer are processed differently. Applicants assert that any combination could have been used to make this point, and that the rejection fails to consider the claim as a whole. Accordingly, Applicants request that the rejection be withdrawn.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

#### IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/Hunter E. Webb/

---

Hunter E. Webb  
Reg. No.: 54,593  
(ND)

Date: May 11, 2009

Hoffman Warnick LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)